

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, March 23, 2004, the following members were present:

Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

Commissioner Rowe left his written votes with the Commission Secretary.

APPEARANCE

Scott Fabel
Utility Division

(98) In the matter of Qwest Communications - N2004.3.33: On March 5, 2004 Qwest filed tariff transmittal 04-03 promotion- Digital Switched service. This promotional price for Advanced DSS Customers who install new service, renew existing contracts of convert from a month-to-month purchase arrangement to a contract. The bulk price for a 36 month contract during the promotional period for the DS1 facility, common equipment; and up to 12 DSS advanced trunks is \$370.00 per month. The promotional period is from April 5, 2004, through July 2, 2004. The promotion is available where it is technically feasible and where facilities are available.

Commissioner Stovall moved to approve the promotion with a time period of April 5, 2004 through July 2, 2004, which passed 5-0.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(99) In the matter of T-03.53.PCN: On November 14, 2003 Brian David Parks dba Medicab, Missoula, Montana made application for a certificate of public convenience and necessity. That application was noticed on December 10, 2003 and four protests were received. On March 1, 2004 the applicant amended his application to remove conflicts with the authorities held by the protestants. Two of the four protestants have withdrawn. The remaining protestants, Albert L. Guay III dba Sunset Limousine Service, Butte, Montana and Charles R. Morgan dba Anaconda Taxi, Anaconda, Montana were advised in writing to contact and show good and sufficient cause, in writing, why they had standing to continue the protest to the application as amended. No written response was received.

Commissioner Brainard moved to dismiss the protests in this matter. Commissioner Stovall seconded the motion, which passed 5-0.

(100) In the matter of T-03.53.PCN: On November 14, 2003 Brian David Parks dba Medicab, Missoula, Montana made application for a certificate of public convenience and necessity. That application was noticed on December 10, 2003 and four protests were received. On March 1, 2004 the applicant amended his application and two protestants withdrew and two protestants were dismissed for lack of standing.

Commissioner Brainard moved to approve the application. Commissioner Jergeson seconded the motion, which passed 5-0.

(101) In the matter of TN2214: Waste Connections of Montana, Inc., Miles City, Montana requests permission to split PSC No. 9418 for leasing purposes. They request that PSC No. 9418, Subs D, E, F and G be reissued under a new PSC authority number.

Commissioner Stovall moved to approve the split. Commissioner Brainard seconded the motion, which passed 5-0.

(102) In the matter of TN2215: Waste Connections of Montana, Inc., Miles City, Montana requests permission to lease PSC No. 9447 to Waste Connections of Montana, Inc. dba Bitterroot Disposal, Hamilton, Montana for a six (6) month period, March 23, 2004 to September 23, 2004.

Commissioner Stovall moved to approve the lease for the six month period. Commissioner Brainard seconded the motion, which passed 5-0.

(103) In the matter of the approval of Commission Minutes; Commissioner Jergeson moved to approve the Commission Minutes for the week of March 15, 2004. Commissioner Brainard seconded the motion, which passed 5-0.

APPEARANCE
Martin Jacobson
Legal Division

(104) In the matter of the Commission's discussion of NWE 2002/2003 gas tracker, PSC gas NOI - settlement proposal - Docket No's D2002.11.140 and D2003.10.151:

Commissioner Brainard moved to reject NWE's offer. Commissioner Stovall seconded the motion, which passed 5-0.

Commissioner Brainard moved to withdraw the Notice of Inquiry and send a letter as discussed. Commissioner Stovall seconded the motion. Discussion followed. Commissioner Brainard withdrew his motion.

(105) In the matter of the Commission's discussion of YVEC complaint that NWE is not

following tariffed line extension charges - Docket No. D2004.3.43:

Commissioner Stovall moved to notice a complaint to NWE and conduct an investigation for a tariff violation, with a response being due within 20 days. Commissioner Jergeson seconded the motion, which passed 5-0.

APPEARANCE

Al Brogan
Legal Division

(106) In the matter of the Commission's discussion of Wilder Resorts, Inc. dba Fairmont Hot Springs - Docket No. D2003.10.152:

Commissioner Brainard moved to modify the procedural order to allow discovery by March 16, discovery on rebuttal by March 29, response due by applicant by April 5, and to preserve the hearing date. Commissioner Stovall seconded the motion, which passed 5-0.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary
(SEAL)